

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

DR. KEVIN RAY BUCKWALTER,)
vs.)
Plaintiff,) Case No. 2:10-cv-00154-JCM-PAL
vs.)
DR. ANDREA TRECSCOT,)
Defendant.) **ORDER**

The court conducted a hearing on the parties proposed stipulated Discovery Plan and Scheduling Order (Dkt. #38) on November, 16, 2010. Bryce Buckwalter appeared on behalf of the Plaintiff, and Joseph Garin appeared on behalf of the Defendant.

The parties have submitted a proposed Discovery Plan and Scheduling Order which would establish a May 31, 2011 cutoff, or approximately 270 days from the date the parties held their Rule 26(f) conference. Their request substantially exceeds the amount of time deemed presumptively reasonable to complete discovery under Local Rule 26-1(e). During the conference, counsel for the parties indicated that they had been engaged in settlement discussions and were hopeful that this matter would be resolved in the next thirty days.

The case involves a defamation action. If the parties are unable to settle their dispute, Plaintiff will want to take the deposition of the Defendant, and attempt to take the deposition of reporters involved in the publication in dispute in this case. Plaintiff may also designate one or more experts. Defendant intends to take the deposition of the Plaintiff and intends to designate a medical pain specialist and damages expert.

Under these circumstances,

1 **IT IS ORDERED:**

2 1. The parties' proposed Discovery Plan and Scheduling Order (Dkt. #38) is **NOT**
3 **APPROVED** and is **DENIED**.

4 2. A status conference is set for **December 14, 2010 at 10:45 a.m.** If the parties have been
5 unable to settle this case, the court will enter a Discovery Plan and Scheduling Order.
6 Counsel are advised that, given the modest amount of discovery needed to prepare this
7 case for trial, the Scheduling Order will be strictly enforced, and the parties are unlikely
8 to receive any extensions.

9 Dated this 19th day of November, 2010.

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12 Peggy A. Teer
13 United States Magistrate Judge